

Offit | Kurman
Attorneys At Law

Gary B. Cutler, Esquire
(267) 338-1308 (Direct Dial)
(267) 338-1335 (Fax)
gcutler@offitkurman.com

March 28, 2014

VIA E-MAIL ONLY
The Honorable L. Felipe Restrepo
8613 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

FILED

MAR 28 2014

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Re: Core Communications, Inc. v. Zayo Bandwidth Northeast, LLC
Case No.: 14-1059
My File No.: 02310026-3

Dear Judge Restrepo:

As Your Honor will recall, this case involved, among other things, a request for a Temporary Restraining Order in relation to the threat of defendant to shut down access to telecommunication lines through which plaintiff provided access to the internet to its customers. Argument was held last Friday, March 21, 2014. At that time, Your Honor issued an Order from the bench directing that the status quo be maintained for a week, ostensibly until the end of the day today as well as an indication that we could anticipate a decision on the merits of plaintiff's request most likely today as well.

In the interim, Zayo has continued discussions with one or more companies for the purpose of potentially entering into an agreement with another customer to take over the access to these telecommunication lines from Core. We have received information that an agreement with another company, Global Pops, had been reached but that it was on hold pending a lifting of the Order that the status quo remain.

Accordingly, since it appears that Zayo will not be shutting down those lines because of its dispute with Core and will be substituting another customer as soon as practicable, the imminent need for protection under the requested Temporary Restraining Order has passed and plaintiff hereby withdraws its request for a TRO.

In addition, because of the need to expedite the transfer to assure continuation of service to the consumers, Core requests that Your Honor enter an Order lifting the mandate that the Zayo maintain the status quo that was ordered last Friday. Although the parties do understand that the Order would expire later today, Core agrees with Zayo that it would be in everyone's best interests if Zayo was free to enter into the aforementioned agreements as soon as possible.

Of course, the withdrawal of the request for the TRO is being made with the understanding that neither side, neither Core nor Zayo, is waiving any rights available to either entity based upon the MSA under which they have been operating.

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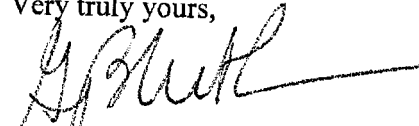
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Finally, primarily for the purpose of clarity, Core does wish to confirm that the Motion to Compel Arbitration is not mooted by the withdrawal of the TRO request and that we wish to proceed with the Motion, including the current briefing schedule issued by Your Honor.

We thank you for your consideration of these requests and your patience in dealing with the parties.

Very truly yours,



Gary B. Cutler

GBC/rmb

cc: Christopher Van de Verg, Esq. (via e-mail)
Michael Fortunato, Esq. (via e-mail)
Lauren Fulman Cell, Esq. (via e-mail)

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